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U.S. BANKRUPTCY COURT, SDNY

Related ECF Doc.s  
[ 53755, 53852]

Danielle P. Gordon, Pro Se  
Surviving Spouse of Jon S. Gordon  
3572 Lytle Road  
Shaker Heights, Ohio 44122  
216-752-0431 (fax/manual)  
216-337-4143

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In re : Chapter 11 Case No.  
LEHMAN BROTHERS HOLDINGS INC., et al., :  
Debtors : 08-13555(SCC)  
: (Jointly Administered)  
-----X

**Letter to The Honorable Shelley C. Chapman, Bankruptcy Judge,  
Southern District New York  
1 Bowling Green New York, NY 10004-1408**

Dear Judge Chapman,

I am an interested party (residential homeowner) to the Lehman Brothers, et al. Bankruptcy. I filed a motion in response to the LBHI motion to disallow and expunge certain RMBS claims in September of 2016. [53755, 53852] The motion and a supplement were served per the LBH return instructions. The supplement also contained information showing that the State Court (and related parties) were notified of the proceedings in this Court.

The loan number of my home was published in an exhibit on August 30, 2016, where I recognized it. There is no indication this mortgage was transferred into a trust – it was not recorded that way. The note was also not owned by a trust, according to the information in the Court Record, and Recorders office. Nevertheless, The trust [SASCO, LXS 2007 8H], documents clearly indicate ownership of that loan.

I did not learn of the trust until *after* my home had been involuntarily sold in an auction. The trustee now owns legal title to my home. That information was deliberately concealed, withheld, **and** misrepresented. The information about the loan *and* the trust is necessary to put them together, and without both, it is the proverbial “needle in a haystack of needles”.

I am writing to you today because I am basically out of time.

As predicted, in that original pleading, a **writ of possession** has issued for execution on December 6, 2016. (See Annexed Exhibit, Pluries, Writ, Notice)

Since my initial appearance, four hearings have been scheduled and at least three were adjourned for objections and related responses to the Debtors motion to Disallow and Expunge: **October 20, 10:00AM; November 1, 2016 11:00am; and November 9, 2016, 11:00am.** I was served with notice for the adjournment of the hearing from **November 1, 2016 to November 9,** but when the **November 9, 2016 hearing was adjourned to November 29, 2016 I did not receive notice.**

I signed up with CourtSolutions for each one of those hearings, and in addition, for an Omnibus hearing on **November 22, 2016.** (Pre-emptively.) Presumably, it is because there are no objections. Taken as a whole, my case is not very important, other than to me. It has no impact on the estate, and will not make any difference to the overall payouts of the creditors in this case.

No party has served or filed any objections to the original motion or supplement that I filed.

I am willing and able to support my motion with facts, law and exhibits.

The State of Ohio has and New York have similarities in that they narrowly apply an “Unclean Hands” Doctrine. A Plaintiff is barred from seeking equity when it was part of the fraud for which it seeks redress or the trustee who stands in its shoes. Under either the Ohio or New York analysis, this doctrine should be applied in the present context.

While I am not a petitioner in Bankruptcy, this is a core proceeding, and the Court has jurisdiction over this matter. I am the sole judgment debtor in the State case related to this one, and a consumer; and because the matter pertains to a consumer refinance of my residential home. (albeit, not a loan I agreed to or even knew about), the claim I requested to file is entitled to priority status.

Therefore, enclosed are the attached notices of no objection, presentment, and an application to compel abandonment of real property. Judgment orders have been attached to each as exhibits.

These execution orders appear to have been issued by Aurora Bank, FSB, a wholly owned subsidiary of LBH, et al., that was closed in June of 2013. I believe that it is a dangerous practice to issue pleadings, particularly in execution, using the name of a closed National Bank. I

know it is misleading. While, of course in reality Aurora Bank, FSB is not filing documents, it remains to be seen what party is actually representing the Substitute Plaintiff in the case.

There are at least 3 more cases involving my husband, in which Aurora foreclosed. None of those cases involved a trust or a trustee, however, it is now obvious that all of these loans were securitized. The collateral property was sold at auctions, to the plaintiff, and then, in all likelihood sold to a new owner. It appears that these other actions proceeded for the benefit of the Debtors, and may also have been assets of the Estate. They were all default judgments.

It is unfair to allow anyone to evict me; I did not borrow money, or get any benefit from this loan, or any loan from the collective LBHI Estate. I am very sorry if my husband did, but he was not even living with me at the time; he had moved from Cleveland to New York. All of this information is available in my first and also second foreclosure case. To this day, no party has ever come to court and even denied this. Yet, the eviction is still scheduled, as if the truth is not important.

Respecfully Submitted on November 14, 2016 By:

s/Danielle Gordon

Danielle P. Gordon, Pro Se

Surviving Spouse of Jon S. Gordon

3572 Lytle Road Shaker Heights, Ohio 44122

216-752-0431(manual fax) 216-337- 4143 Daniellepg@outlook.com

**UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK**  
Certificate of Service of Letter To Bankruptcy Judge ,Annexed Proposed order, Annexed  
Exhibits

On November 14, 2016, I sent the foregoing to the following via overnight United States Mail:

- 
- (A) The Hon. Judge Shelley C. Chapman, United States Bankruptcy Judge, Southern District Of New York, One Bowling Green, New York, NY 10004-1408, Chambers
- (B) Vito Genna, Clerk of Court Southern District of New York Bankruptcy Court  
One Bowling Green, New York, NY 10004-1408
- (C) the Office of the United States Trustee for the Southern District of New York, U.S. Federal Office Building, 201 Varick Street, Suite 1006, New York, New York 10014 (Attn: William K. Harrington, Esq., Susan D. Golden, Esq., and Andrea B. Schwartz,, Esq.);
- (D) Milbank, Tweed, Hadley & McCloy LLP, 1 Chase Manhattan Plaza, New York, New York 10005 (Attn: Dennis F. Dunne, Esq., Wilbur F. Foster, Jr., Esq., Dennis C. O'Donnell, Esq., and Evan R. Fleck, Esq.), attorneys for the official committee of unsecured creditors;
- (E) Willkie Farr & Gallagher LLP, 787 Seventh Avenue, New York, New York 10019 (Attn: Paul V. Shalhoub, Esq., Todd G. Cosenza, Esq., and Benjamin P. McCallen, Esq.), attorneys for LBHI and certain of its affiliates; and
- (F) Rollin Braswell Fisher LLC, 8350 East Crescent Parkway, Suite 100, Greenwood Village, Colorado 80111 (Attn: Michael A. Rollin, Esq. and Maritza Dominguez Braswell, Esq.)
- (G) Michael S. Schuster, Esq. Howell Shuster and Goldberg, LLP, 750 7<sup>th</sup> Avenue, 26<sup>th</sup> Floor NY New York 10019
- (H) Franklin H. Top III CHAPMAN AND CUTLER LLP 111 West Monroe Street Chicago, Illinois 60603

By:

s/Danielle Gordon

Danielle P. Gordon, Pro Se

Surviving Spouse of Jon S. Gordon

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Exhibits:

Pluries Praeclipe.....	p.6
Writ of Possession.....	p.8
(Issued by Plaintiff Aurora Bank, FSB)	
Notice of application to propose abandonmenet of Real Property p.....	9
Proposed order to Compel Abandondment of Real Property.....	14
Notice of Hearing of Presentment.....	16
Certificate of No Objection.....	21
Proposed Order.....	26

The State of Ohio, } ss.  
Cuyahoga County. }

To the Sheriff of said County, - GREETING:

WHEREAS, in a certain action lately prosecuted in our Court of Common Pleas, within and for said Cuyahoga County, wherein AURORA BANK FSB, Plaintiff Recovered a judgment against, DANIELLE POWER GORDON ETAL, Defendant For the premises and the possession of the following described real property, to-wit:

PLEASE EVICT: DANIELLE POWER GORDON ETAL, his/her family and all of their

possessions from: 3572 LYTLE RD  
SHAKER HEIGHTS OH 44122-0000

Together with \$ \_\_\_\_\_ damages and \$ \_\_\_\_\_ costs.

THEREFORE, You are commended to deliver possession of the real property afore-said to the plaintiff - AURORA BANK FSB.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
and that you make due return of this writ within sixty days from date hereof.

WITNESS My hand and the Seal of said Court, at the City of Cleveland, this 3rd day of November A.D. 2016  
NAILAH K. BYRD, Clerk of Courts

By Nailah K. Byrd Deputy Clerk.


The State of Ohio,  
Cuyahoga County.  
} ss.

Service and Return

Mileage

Case No. 773416

**Cuyahoga Common Pleas**

AURORA BANK FSB

VS.

DANIELLE POWER GORDON ETAL

**WRIT OF POSSESSION  
REAL PROPERTY AND DAMAGES**

This Writ dated November 3rd, 2016

Damages.....\$ \_\_\_\_\_  
Costs.....\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
Deft's Costs.....\$ \_\_\_\_\_

Int. from \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Increases Costs.....\$ 2.00

CARLETON/MICHAEL/E

(614) 222-1024

Plaintiff's Attorney

Received \_\_\_\_\_ 20 \_\_\_ M

Sheriff

Returned and Filed \_\_\_\_\_ 20 \_\_\_

Objection Deadline: November 30, 2016 at 11:00am (Prevailing Eastern Time)

Danielle P. Gordon  
Surviving Spouse of Jon S. Gordon  
3572 Lytle Road  
Shaker Heights, Ohio 44122  
216-752-0431 (fax/manual)  
216-337-4143

Pursuant to Rule 9004-2(b), the  
return date shall be:  
November 29, 2016

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In re : Chapter 11 Case No.  
LEHMAN BROTHERS HOLDINGS INC., et al., :  
Debtors : 08-13555(SCC)  
: : (Jointly Administered)  
-----X

**NOTICE OF APPLICATION TO COMPEL ABANDONMENT OF REAL PROPERTY**  
**Per Fed. Bankr. P. 6007:**

Now comes Danielle P. Gordon, Pro Se, a party in interest and hereby applies to the Court to Compel the Abandonment of the Real Property known as ppn 736-29-013, under Fed. R. Bankr. P. 6007. This is an occupied residential parcel, currently held in title by Indenture Trustee, U.S. Bank under the indenture trust to SASCO LXS 2007 8H, by virtue of a quit claim deed from the Cuyahoga County Sheriff.

**NO HEARING WILL BE CONDUCTED ON THIS PLEADING UNLESS A WRITTEN OBJECTION IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AND SERVED UPON THE PARTY FILING THIS PLEADING WITHIN FIFTEEN (15) DAYS FROM THE DATE OF SERVICE UNLESS THE COURT SHORTENS OR EXTENDS THE TIME FOR FILING SUCH OBJECTION. IF NO OBJECTION IS TIMELY SERVED AND FILED, THIS PLEADING SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT. IF AN OBJECTION IS FILED AND SERVED IN A TIMELY MANNER, THE COURT WILL THEREAFTER SET A HEARING. IF YOU FAIL TO APPEAR AT THE HEARING, YOUR OBJECTION MAY BE STRICKEN. THE COURT RESERVES THE RIGHT TO SET A HEARING ON ANY MATTER.**

The Property is currently occupied by the Applicant. While the Trustee holds a title by virtue of a quit claim, from the Sheriff, the transfer may only have been a fractional one-third interest.

Furthermore, the deed that the Trustee holds is of a questionable marketable value, due to the Conveyance having been [correctly] recorded under the same erroneous spelling of Mrs. Gordon's name as appears on the mortgage. The former owner, Jon S. Gordon (deceased) remains the fee simple owner of record on the parcel. The conveyance was recorded under the incorrect spelling of the dowers name due to the foreclosure case being filed against her under that [incorrect] spelling of her name. Since she never held title under any version of her name, however, this may not have any material effect on the value of the title. Other issues are the fact of **insufficiency of process** were the issues raised on a motion to vacate a void judgment.

Since Danielle Gordon, the Surviving Spouse has never answered the case, as a result of the foreclosure, it could, in fact result in a less than marketable title in the parcel, for any bona fide new purchaser. (Under the Ohio Marketable Title Act). This means that in order to have a clear title, the [dower] who is now the surviving spouse may be entitled to quiet the title, and entirely devalues the mareketability of the title.

The property has been on the market sporadically since the Trustee came into it in January of 2015, having purchased it for \$0.0 from Nationstar, who also purchased it for credit bid, from the Sherrifs auction. The property was advertised for auction on the Nationstar auction website for a starting bid of \$66,000 and received no bids; the price was lowered to a basement of \$62,000 and it was removed from market. It was relisted in 2016 with Cutler real estate, for

approximately \$180,000 and eventually the price was dropped, and again received no bids. It was removed from listings once more in August of 2016. Lowest advertised price in 2016 is 160,000.

Assigning a value to the Trustee's holding on the property is difficult, and the parcel as a whole has an unencumbered value of approximately \$140,000-\$160,000. However, it is encumbered by a mortgage, due and owing for \$135,00, with interest accruing at 7%, in favor of the occupant (applicant), who holds the note.

The essential cash outlay regarding this property is that it will be a cost savings of thousands of dollars to abandon property to the occupant, whereas eviction of a large residential house requires movers, insurance and could incur additional liability; notwithstanding an additional \$3000 in taxes on January 1, 2017. However, it will cost nothing, and relieve the estate from the liability of these expenses going forward to abandon this property. It will also end the legal proceedings it is continuing to be charged with in the State Court action on this case.

Applicant proposes that the property be abandoned to the party currently in possession; as opposed to the party who currently has the title. This would allow her to begin the necessary repairs in which need to begin now for the winter season in Northeast Ohio.

Respectfully submitted on November 14, 2016

By:

s/Danielle Gordon  
Danielle P. Gordon, Pro Se  
Surviving Spouse of Jon S. Gordon  
3572 Lytle Road Shaker Heights, Ohio 44122  
216-752-0431(manual fax)  
216-337- 4143 Daniellepg@outlook.com  
Notice to email

**UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK**  
Certificate of Service of Certificate of Application to Compel Abandonment of Real Property

On November 14, 2016, I sent the foregoing to the following via overnight United States Mail:

- 
- (A) The Hon. Judge Shelley C. Chapman, United States Bankruptcy Judge, Southern District Of New York, One Bowling Green, New York, NY 10004-1408, Chambers
- (B) Vito Genna, Clerk of Court Southern District of New York Bankruptcy Court  
One Bowling Green, New York, NY 10004-1408
- (C) the Office of the United States Trustee for the Southern District of New York, U.S. Federal Office Building, 201 Varick Street, Suite 1006, New York, New York 10014 (Attn: William K. Harrington, Esq., Susan D. Golden, Esq., and Andrea B. Schwartz, Esq.);
- (D) Milbank, Tweed, Hadley & McCloy LLP, 1 Chase Manhattan Plaza, New York, New York 10005 (Attn: Dennis F. Dunne, Esq., Wilbur F. Foster, Jr., Esq., Dennis C. O'Donnell, Esq., and Evan R. Fleck, Esq.), attorneys for the official committee of unsecured creditors;
- (E) Willkie Farr & Gallagher LLP, 787 Seventh Avenue, New York, New York 10019 (Attn: Paul V. Shalhoub, Esq., Todd G. Cosenza, Esq., and Benjamin P. McCallen, Esq.), attorneys for LBHI and certain of its affiliates; and
- (F) Rollin Braswell Fisher LLC, 8350 East Crescent Parkway, Suite 100, Greenwood Village, Colorado 80111 (Attn: Michael A. Rollin, Esq. and Maritza Dominguez Braswell, Esq.)
- (G) Michael S. Schuster, Esq. Howell Shuster and Goldberg, LLP, 750 7<sup>th</sup> Avenue, 26<sup>th</sup> Floor NY New York 10019
- (H) Franklin H. Top III CHAPMAN AND CUTLER LLP 111 West Monroe Street Chicago, Illinois 60603

s/Danielle Gordon  
Danielle P. Gordon, Pro Se  
Surviving Spouse of Jon S. Gordon  
3572 Lytle Road Shaker Heights, Ohio 44122  
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Daniellepg@outlook.com notice to email

Danielle P. Gordon  
Surviving Spouse of Jon S. Gordon  
3572 Lytle Road  
Shaker Heights, Ohio 44122  
[daniellepg@outlook.com](mailto:daniellepg@outlook.com)  
216-752-0431 (fax/manual)  
216-337-4143

Exhibit A Proposed Order

Danielle P. Gordon, Pro Se  
Surviving Spouse of Jon S. Gordon  
3572 Lytle Road  
Shaker Heights, Ohio 44122  
216-752-0431 (fax/manual)  
216-337-4143

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
In re : Chapter 11 Case No.  
LEHMAN BROTHERS HOLDINGS INC., et al. :  
Debtors : 08-13555(JMP)  
: . : (Jointly Administered)  
-----x

**(PROPOSED) ORDER FINDING APPLICATION TO COMPEL  
ABANDONMENT OF REAL PROPERTY WELL TAKEN**

Upon the application of Danielle Pauer Gordon, a claimed party in interest; of Lehman Brothers Holdings Inc. and its, seeking to compel the abandonment of the real property she currently occupies, which is now held by the Indenture Trustee, U.S. Bank National Association, LXS 2007 8H, by virtue of a quit claim sherrifs deed, loan number **45268737** (all as more fully described in the Application and ; [ECF Nos. **53755, 53852**] and related documents) and;

it appearing that no other or further notice need be provided;  
and the Court having found and determined that the relief sought in the Application is in the best interests of the Chapter 11 Estates, their creditors, and all parties in interest, and that the

legal and factual bases set forth in the Application establish just cause pursuant to Bankruptcy Rule 9006(b); and 6007;

for the relief granted herein; and after due deliberation;  
and sufficient cause appearing therefor,

it is ORDERED

that the relief requested in the Application

is granted; and it is further;

ORDERED; This order will become effective immediately upon signing.

and it is further; ORDERED;

That this Court shall retain jurisdiction to hear and determine all matters arising from or related to this Order.

Dated: \_\_\_\_\_, 2016 New York, New York

---

UNITED STATES BANKRUPTCY JUDGE

**Hearing Date: November 22, 2016 at 10:00 a.m. (Prevailing Eastern Time)**  
**Objection Deadline: November 21, 2016 at 4:00 p.m. (Prevailing Eastern Time)**

Danielle P. Gordon  
Surviving Spouse of Jon S. Gordon  
3572 Lytle Road  
Shaker Heights, Ohio 44122  
216-752-0431 (fax/manual)  
216-337-4143

Pursuant to Rule 9004-2(b), the  
return date shall be:  
November 21, 2016  
Related: **53755, 53852**

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In re : Chapter 11 Case No.  
LEHMAN BROTHERS HOLDINGS INC., et al., :  
Debtors : 08-13555(SCC)  
: . . . : (Jointly Administered)  
-----X

**NOTICE OF HEARING ON PRESENTMENT of MOTION FOR PARTIAL TRANSFER  
and AMENDMENT OF CLAIM NUMBER 15989 [ECF No. 53755, 53852]**

**PLEASE TAKE NOTICE** that, on August 30, 2016, Lehman Brothers Holdings Inc. (“LBHI” or the “Plan Administrator”) and (together, “Lehman,” and collectively with their affiliated debtors in the above-captioned cases, the “Debtors”), filed their Motion to (a) Disallow and Expunge a certain RMBS Claim, and set a deadline of September 29, 2016 as a responsive deadline. [**ECF 53620, supporting exhibit 53621**].

On September 29, 2016, Movant, Danielle P. Gordon, an interested party in these proceedings, caused “LBHI”, or the “Plan Administrator” along with the other parties to be served with the “motion” per the return instructions. [ECF No. 53755, 53852].

While Movant did receive notice of an adjourned and rescheduled hearing, the hearing was adjourned again, and no further notice was received.

**PLEASE TAKE FURTHER NOTICE** that a hearing will be held on presentment of the order (attached) before the Honorable Shelley C. Chapman, United States Bankruptcy Judge, at the United States Bankruptcy Court for the Southern District of New York, Courtroom 623, One Bowling Green, New York, New York 10004 (the “Bankruptcy Court”) on **November 22, 2016 at 11:00am, (prevailing Eastern Time)**, or as soon thereafter as Movant may be heard.

PLEASE TAKE FURTHER NOTICE that unless a written objection to the proposed order, with proof of service, is filed with the Clerk of the Court and a courtesy copy is delivered to the Bankruptcy Judge's chambers at least three days before the date of presentment, there will not be a hearing and the order may be signed.

**PLEASE TAKE FURTHER NOTICE** that objections, if any, to the Motion must be made in writing, state with particularity the grounds therefor, conform to the Federal Rules of Bankruptcy Procedure and the Local Bankruptcy Rules for the Southern District of New York, be filed electronically in text searchable portable document format (PDF) with the Court in accordance with General Order M-399 (General Order M-399 can be found at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov), the official website for the Court), by registered users of the Court’s case filing system and by all other parties in interest (with a hard-copy delivered directly to the Judge’s Chambers), and be served in accordance with General Order M-399, and upon the

following: (a) the chambers of the Honorable Shelley C. Chapman, One Bowling Green, New York, New York 10004, Courtroom 23; (b) the Office of the United States Trustee for the Southern District of New York, U.S. Federal Office Building, 201 Varick Street, Suite 1006, New York, New York 10014 (Attn: William K. Harrington, Esq., Susan D. Golden, Esq., and Andrea B. Schwartz, Esq.); (c) Milbank, Tweed, Hadley & McCloy LLP, 1 Chase Manhattan Plaza, New York, New York 10005 (Attn: Dennis F. Dunne, Esq., Wilbur F. Foster, Jr., Esq., Dennis C. O'Donnell, Esq., and Evan R. Fleck, Esq.), attorneys for the official committee of unsecured creditors; (d) Willkie Farr & Gallagher LLP, 787 Seventh Avenue, New York, New York 10019 (Attn: Paul V. Shalhoub, Esq. and Todd G. Cosenza, Esq.), attorneys for LBHI and certain of its affiliates; and (e) Rollin Braswell Fisher LLC, 8350 East Crescent Parkway, Suite 100, Greenwood Village, Colorado 80111 (Attn: Michael A. Rollin, Esq. and Maritza Dominguez Braswell, Esq.). attorneys for LBHI and certain of its affiliates.

**PLEASE TAKE FURTHER NOTICE** that if no objections are timely filed and served with respect to the Motion, the Movant may, on or after the Objection Deadline, submit to the Bankruptcy Court an order substantially in the form of proposed order annexed to the Motion, which order may be entered with no further notice or opportunity to be heard offered to any party.

Respectfully Submitted on November 14, 2016 by:

s/Danielle Gordon

Danielle P. Gordon, Pro Se  
Surviving Spouse of Jon S. Gordon  
3572 Lytle Road  
Shaker Heights, Ohio 44122  
216-752-0431 (fax/manual)

216-337-4143  
[Daniellepg@outlook.com](mailto:Daniellepg@outlook.com)  
notice to email

**UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK**  
Certificate of Service of Certificate of Notice of Presentment

On November 14, 2016, I sent the foregoing to the following via overnight United States Mail:

- 
- (A) The Hon. Judge Shelley C. Chapman, United States Bankruptcy Judge, Southern District Of New York, One Bowling Green, New York, NY 10004-1408, Chambers
- (B) Vito Genna, Clerk of Court Southern District of New York Bankruptcy Court  
One Bowling Green, New York, NY 10004-1408
- (C) the Office of the United States Trustee for the Southern District of New York, U.S. Federal Office Building, 201 Varick Street, Suite 1006, New York, New York 10014 (Attn: William K. Harrington, Esq., Susan D. Golden, Esq., and Andrea B. Schwartz,, Esq.);
- (D) Milbank, Tweed, Hadley & McCloy LLP, 1 Chase Manhattan Plaza, New York, New York 10005 (Attn: Dennis F. Dunne, Esq., Wilbur F. Foster, Jr., Esq., Dennis C. O'Donnell, Esq., and Evan R. Fleck, Esq.), attorneys for the official committee of unsecured creditors;
- (E) Willkie Farr & Gallagher LLP, 787 Seventh Avenue, New York, New York 10019 (Attn: Paul V. Shalhoub, Esq., Todd G. Cosenza, Esq., and Benjamin P. McCallen, Esq.), attorneys for LBHI and certain of its affiliates; and
- (F) Rollin Braswell Fisher LLC, 8350 East Crescent Parkway, Suite 100, Greenwood Village, Colorado 80111 (Attn: Michael A. Rollin, Esq. and Maritza Dominguez Braswell, Esq.)
- (G) Michael S. Schuster, Esq. Howell Shuster and Goldberg, LLP, 750 7<sup>th</sup> Avenue, 26<sup>th</sup> Floor NY New York 10019
- (H) Franklin H. Top III CHAPMAN AND CUTLER LLP 111 West Monroe Street Chicago, Illinois 60603

By:

s/Danielle Gordon  
Danielle P. Gordon, Pro Se  
Surviving Spouse of Jon S. Gordon  
3572 Lytle Road Shaker Heights, Ohio 44122  
216-752-0431(manual fax) 216-337- 4143  
Daniellepg@outlook.com  
notice to email

**Hearing Date: November 22, 2016 at 10:00 a.m. (Prevailing Eastern Time)**

**Objection Deadline: November 21, 2016 at 4:00 p.m. (Prevailing Eastern Time)**

Danielle P. Gordon  
Surviving Spouse of Jon S. Gordon  
3572 Lytle Road  
Shaker Heights, Ohio 44122  
216-752-0431 (fax/manual)  
216-337-4143

Related ECF Doc.s  
[ 53755, 53852 ]

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In re : Chapter 11 Case No.  
LEHMAN BROTHERS HOLDINGS INC., et al., :  
Debtors : 08-13555(SCC)  
: . . . : (Jointly Administered)  
-----X

**CERTIFICATE OF NO OBJECTION UNDER 28 U.S.C. § 1746 REGARDING THE  
MOTION FOR PARTIAL TRANSFER and AMENDMENT OF CLAIM NUMBER 15989  
[ECF No. 53755, 53852]**

---

Pursuant to 28 U.S.C. § 1746, and in accordance with this Court's case management procedures set forth in the Second Amended Order Pursuant to Section 105(a) of the Bankruptcy Code and Bankruptcy Rules 1015(c) and 9007 Implementing Certain Notice and Case Management Procedures [ECF No. 9635] (the "Second Amended Case Management Order"), the undersigned hereby certifies as follows:

1. On September 30, 2016, Danielle P. Gordon, Surviving Spouse of Jon S. Gordon, appearing pro se, filed, filed a Motion for Partial Transfer of a certain claim, [ECF No. 53755, 53852 ] (the "Claim Motion") with the Court under the Modified Third Amended Joint Chapter 11 Plan of Lehman Brothers Holdings Inc. and its Affiliated Debtors.

2. In accordance with the Second Amended Case Management Order, the Plan Administrator established a deadline (the “Response Deadline”) for parties to object or file responses to the Claims Objection. The Second Amended Case Management Order provides that pleadings may be granted without a hearing, provided that no objections or other responsive pleadings have been filed on or prior to the relevant response deadline and the attorney for the entity who filed the pleading complies with the relevant procedural and notice requirements.

3. To the best of my knowledge, no responsive pleadings have been (a) filed with the Court on the docket of the above-referenced case in accordance with the procedures set forth in the Second Amended Case Management Order, or (b) served.

4. Therefore, the undersigned filing party, Danielle P. Gordon, respectfully requests that the proposed order granting the “Claim Motion”, annexed hereto as Exhibit A, be entered in accordance with the procedures described in the Second Amended Case Management Order.

I declare that the foregoing is true and correct.

Respectfully Submitted on November 14, 2016

By:

s/Danielle Gordon

Danielle P. Gordon  
Surviving Spouse of Jon S. Gordon  
3572 Lytle Road  
Shaker Heights, Ohio 44122  
[daniellepg@outlook.com](mailto:daniellepg@outlook.com) notice to email  
216-752-0431 (fax/manual) 216-337-4143

**UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK**  
Certificate of Service of Certificate of No Objection

On November 14, 2016, I sent the foregoing to the following via overnight United States Mail:

---

(A) The Hon. Judge Shelley C. Chapman, United States Bankruptcy Judge, Southern District Of New York, One Bowling Green, New York, NY 10004-1408, Chambers

(B) Vito Genna, Clerk of Court Southern District of New York Bankruptcy Court  
One Bowling Green, New York, NY 10004-1408

(C) the Office of the United States Trustee for the Southern District of New York, U.S. Federal Office Building, 201 Varick Street, Suite 1006. New York, New York 10014 (Attn: William K. Harrington, Esq., Susan D. Golden, Esq., and Andrea B. Schwartz,, Esq.);

(D) Milbank, Tweed, Hadley & McCloy LLP, 1 Chase Manhattan Plaza, New York, New York 10005 (Attn: Dennis F. Dunne, Esq., Wilbur F. Foster, Jr., Esq., Dennis C. O'Donnell, Esq., and Evan R. Fleck, Esq.), attorneys for the official committee of unsecured creditors;

(E) Willkie Farr & Gallagher LLP, 787 Seventh Avenue, New York, New York 10019 (Attn: Paul V. Shalhoub, Esq., Todd G. Cosenza, Esq., and Benjamin P. McCallen, Esq.), attorneys for LBHI and certain of its affiliates; and

(F) Rollin Braswell Fisher LLC, 8350 East Crescent Parkway, Suite 100, Greenwood Village, Colorado 80111 (Attn: Michael A. Rollin, Esq. and Maritza Dominguez Braswell, Esq.)

(G) Michael S. Schuster, Esq. Howell Shuster and Goldberg, LLP, 750 7<sup>th</sup> Avenue, 26<sup>th</sup> Floor NY New York 10019

(H) Franklin H. Top III CHAPMAN AND CUTLER LLP 111 West Monroe Street Chicago, Illinois 60603

By:

s/Danielle Gordon

Danielle P. Gordon, Pro Se

Surviving Spouse of Jon S. Gordon

3572 Lytle Road Shaker Heights, Ohio 44122

216-752-0431(manual fax) 216-337- 4143

Daniellegpg@outlook.com

Notice to email

Danielle P. Gordon  
Surviving Spouse of Jon S. Gordon  
3572 Lytle Road  
Shaker Heights, Ohio 44122  
[daniellepg@outlook.com](mailto:daniellepg@outlook.com)  
216-752-0431 (fax/manual)  
216-337-4143

**Exhibit A Proposed Order**

Danielle P. Gordon, Pro Se  
Surviving Spouse of Jon S. Gordon  
3572 Lytle Road  
Shaker Heights, Ohio 44122  
216-752-0431 (fax/manual)  
216-337-4143

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
In re : Chapter 11 Case No.  
LEHMAN BROTHERS HOLDINGS INC., et al. :  
. Debtors : 08-13555(JMP)  
: . : (Jointly Administered)  
-----x

**(PROPOSED) Order Finding Motion for Partial Transfer and Amendment of  
Claim 15989; Well Taken**

Upon the motion of Danielle Pauer Gordon, a claimed party in interest; of Lehman Brothers Holdings Inc. and its Affiliated Debtor, SASCO, (received on September 29, 2016). filed on September 30, 2016, seeking to partially transfer and amend claim number **15989**, loan file **45268737** all as more fully described in the Motion and Supporting Brief and supplement; [ECF Nos. **53755, 53852**] and related documents and;

it appearing that no other or further notice need be provided;  
and the Court having found and determined that the relief sought in the Motion is in the best interests of the Chapter 11 Estates, their creditors, and all parties in interest. and that the legal and factual bases set forth in the Motion establish just cause pursuant to Bankruptcy Rule 9006(b) to deem a claim timely filed.

and non-dischargeable, under 523(a)(2), (4) and/or (6) in for the relief granted herein; and after due deliberation; and sufficient cause appearing therefor,

it is ORDERED

that the relief requested in the Motion is GRANTED;

and it is further; ORDERED;

That this Court shall retain jurisdiction to hear and determine all matters arising from or related to this Order.

Dated: \_\_\_\_\_, 2016 New York, New York

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UNITED STATES BANKRUPTCY JUDGE

**UNITED STATES BANKRUPTCY COURT :  
SOUTHERN DISTRICT OF NEW YORK                    NOTICE OF ORDER**

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Vito Genna, Clerk of Court  
Southern District of New York  
One Bowling Green  
New York, NY 10004-1408

**PLEASE SEND A COPY TO  
THE FOLLOWING:**

(A) The Hon. Judge Shelley C. Chapman, United States Bankruptcy Judge, Southern District Of New York, One Bowling Green, New York, NY 10004-1408, Chambers

(B) Vito Genna, Clerk of Court Southern District of New York Bankruptcy Court  
One Bowling Green, New York, NY 10004-1408

(C) the Office of the United States Trustee for the Southern District of New York, U.S.  
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Esq., and Evan R. Fleck, Esq.), attorneys for the official committee of unsecured creditors;

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(G) Michael S. Schuster, Esq. Howell Shuster and Goldberg, LLP, 750 7<sup>th</sup> Avenue, 26<sup>th</sup> Floor  
NY New York 10019

(H) Franklin H. Top III CHAPMAN AND CUTLER LLP 111 West Monroe Street Chicago,  
Illinois 60603

Danielle P. Gordon, 3572 Lytle Road Shaker Heights, Ohio 44122

Date \_\_\_\_\_ 2016 \_\_\_\_

Clerk of Court \_\_\_\_\_